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EXAMINER

KENDALL, CHUCK O

ART UNIT

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Please find below and/or attached an Office communication concerning this application or proceeding.

SL

Office Action Summary

Application No.

09/834,357

Applicant(s)

ROSSOMANDO, PHILIP J. *SK*

Examiner

Chuck O Kendall

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to the application filed 01/09/04.
2. Claims 1 – 23 have been examined.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

4. Claims 12 – 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Lynn et al. USPN 6,606,740 (hereinafter Lynn).

Regarding claim 12, Lynn anticipates a method for providing computer-assisted software engineering comprising: receiving first information indicative of a first focus area (FIG.2, 26), said first focus area representing: a set of first requirements for software to be developed (FIG.2, item# 20 – 24); and a set of first participants in the use of said software (FIG.2, 20 – 24); receiving a division of said set of first requirements which indicates a plurality of separate first aspects of said set of first requirement(FIG.3); displaying said set of first requirements and said set of first participants(FIG.3, see GUI); receiving second information indicative of a second focus area, said second focus area including (FIG.3, see objects 24): a set of second requirements for a one of said first aspects (FIG.3, see divisions in objects); and a set of second participants who participate in a use of said one of said first aspects, said second set of participants being based on said first set of participants(FIG.3); receiving a division of said set of second requirements which indicates a plurality of separate second aspects of said set of second requirements(FIG. 4a); displaying said set of

second requirements and said set of second participants(FIG.3, see GUI); receiving third information which includes: a set of third requirements for a one of said second aspects(FIG.4b); and a set of third participants who participate in a use of said one of said second aspects, each of said third participants having only a single role with respect to said one of said second aspects(FIG.3); and generating a use case based on said third information, said use case defining an instance of the operation of said software by a one of said third participants participating in said one of said second aspects (FIG.4c).

Regarding claim 13, the method of claim 12, further comprising: providing a template which comprises a requirements field and a participants field (lynn,12:11); and wherein said act of receiving first information comprises storing said set of first requirements in said requirements field (12:37 – 40) and storing said set of first participants in said participants field(12:37 – 40, see table) ; and wherein said act of receiving second information comprises storing said set of second requirements in said requirements field(12:37 – 40); and storing said set of second participants in said participants field(12:37 – 40) ; and wherein said act of receiving third information comprises storing said set of third requirements in said requirements field and storing said set of third participants in said participants field(12:37 – 40).

Regarding claim 14, the method of claim 12, wherein said method further comprises: providing a template which comprises a plurality of fields which represent a use case (lynn,12:11); and wherein said generating act comprises displaying said template with at least some of said plurality of fields containing information which is based on said third information(12:10 – 15).

Regarding claim 15, the method of claim 12, wherein: said first information further comprises a set of first assumptions about said software to be developed (FIG.2, 26); said second information further comprises a set of second assumptions about said first aspect and said third information further comprises a set of third assumptions about said second aspect (FIG. 4c., Examiner interprets assumption fields to be the fields in figure).

Regarding claim 16, the method of claim 12 wherein said first information further comprises a set of first business goals relating to said software to be developed (FIG.2, 26); said second information further comprises a set of second business goals relating to said first aspect and said third information further comprises a set of third business goals relating to said second aspect (12:37 – 40).

Regarding claim 17, the method of claim 12, wherein: said first information further comprises first business background information relating to said software to be developed (12:37 – 40); said second information further comprises second business background information relating to said first aspect; and said third information further comprises third business background information relating to said second aspect (FIG.4b, 88,83, see work item field).

Regarding computer-readable medium of claim 18, see reasoning in claim 12.

Regarding computer-readable medium of claim 19, see reasoning in claim 13.

Regarding computer-readable medium of claim 20, see reasoning in claim 14.

Regarding computer-readable medium of claim 21, see reasoning in claim 15.

Regarding computer-readable medium of claim 22, see reasoning in claim 16.

Regarding computer-readable medium of claim 18, see reasoning in claim 17.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lynn et al. USPN 6,606,740 (hereinafter Lynn), in view of Tsukakoshi USPN 5,729,747.

Regarding claim 1, Lynn discloses a method for developing software, the method comprising: defining a focus area which represents a business process to be performed by the software under development (FIG.2, 26); and one or more first participants in said business process, at least one of said first participants having a plurality of roles (FIG.2, 20 – 24, also see 3: 10 – 20, for work flow process and corresponding business functions); decomposing said focus area into one or more sub-focus areas, each of said sub-focus areas(FIG.3), including: a subset of said business process(FIG.3, see 26, for user assignment, queue assignment, case builder etc.); and one or more second participants in said subset of said business process, each of said second participants having only a single one of said plurality of roles (FIG.3, 24, see objects also see,3:15 – 17); creating a use case based on a first one of said one or more sub-focus areas, said use case comprising an instance of usage, by a one of said second participants, of a first subset associated with said first one of said sub-focus areas (FIGs 3, 4a, 4b also see 5:42 – 62).

Lynn doesn't explicitly disclose creating source code to perform acts performed in the course of providing said first subset of said business process. However Tsukakoshi does disclose this feature (FIG. 3, 127). Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Lynn with Tsukakoshi to implement the instant claimed invention because, generating source code during software development has been a general practice in the art and is the basis of any program, thereby making developing or using any program functionally effective.

Regarding claim 2, the method of claim 1, wherein said decomposing step comprises:

decomposing said first focus area into an intermediate-level focus area which includes a subset of said business process (Lynn,FIG.3 26); and one or more third participants, at least one or more of said third participants having more than one of said plurality of roles (Lynn,FIG.3,24); and further decomposing said intermediate-level focus area to produce a second one of said sub-focus areas (Lynn,3:15 – 17).

Regarding claim 3, the method of claim 1 wherein said focus area is represented as a specification including a plurality of fields, and wherein said method further comprises: propagating one or more of said plurality of fields to each of said sub-focus areas; and creating, for each of said sub-focus areas, a set of fields based on the one or more propagated fields (Lynn, FIG.4a, 80,82 & 83).

Regarding claim 4, the method of claim 3 wherein said plurality of fields comprises a business background field, and wherein said propagating act comprises propagating said business background field to each of said sub-focus areas (FIG.4b, 88,83, see work item field).

Regarding claim 5, the method of claim 3 wherein said plurality of fields comprises an assumptions field which comprises a set of assumptions, and wherein said propagating act comprises propagating said assumptions field to each of said sub-focus areas (FIG. 4c., examiner interprets assumption fields to be the fields in figure).

Regarding claim 6, the method of claim 5 wherein said act of propagating said assumptions field comprises propagating fewer than all of the assumptions in said set of assumptions (FIG.4c see audits).

Regarding claim 7, the method of claim 3 wherein said plurality of fields comprises a functional requirements field, and wherein said propagating act comprises propagating said functional requirements field to each of said sub-focus areas (Tsukakoshi FIG.4, 201,202).

Regarding claim 8, the method of claim 3, wherein said plurality of fields comprises a business goals field, and wherein said propagating act comprises propagating said business goals field to each of said sub-focus areas (Tsukakoshi FIG.5, see id, function name, pattern name comment).

Regarding claim 9, the method of claim 8, wherein said act of propagating said business goals field comprises propagating a sub-goal field (Tsukakoshi, FIG. 9).

Regarding claim 10, the method of claim 3, wherein said plurality of fields comprises a business goals field, and wherein at least one of said sub-focus areas is an implementation use case, and wherein said propagating act comprises propagating said

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business goals field to each of said one or more focus areas exclusive of said implementation use case (Lynn, FIGs 4b and 5).

Regarding claim 11, the method of claim 1, further comprising:

specifying a temporal relationship among at least two of said one or more focus areas (FIG. 4a, see BICase Session and BICaseWorklist, as interpreted they are connected, therefore related).

Response to Arguments

Applicant's arguments filed 01/09/04 have been fully considered but they are not persuasive to overcome the previous rejection.

For example:

Argument (1), Applicant argues in claim 1, that Lynn doesn't show "...one or more first participants in said business process, at least one of said first participants having a plurality of roles...".

Response (1), as set forth in claims above and as interpreted by Examiner, Lynn does in fact teach the limitation of plurality of roles by a participant in a business process. In Lynn, 3: 10 – 20 Lynn shows a workflow process (business process) and corresponding business functions (sub-focus areas). Examiner believes this to be equivalent to Applicant's claimed limitation.

Argument (2), Applicant also asserts that Lynn doesn't show "...creating a use case based on a first one of said one or more sub-focus areas, said use case comprising an instance of usage, by a one of said second participants, of a first subset associated with said first one of said sub-focus areas...".

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Response (2), as set forth in claims above and as interpreted by Examiner, Lynn in 5:42 – 62 shows reusable modules/cases (use case) see 5: 57 – 59, in the business processes with require very little customization. Examiner believes this is equivalent to Applicant's limitations of "...use case comprising an instance of usage, by a one of said second participants...".

Conclusion

8. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Correspondence Information

9. Any inquires concerning this communication or earlier communications from the examiner should be directed to Chuck O. Kendall who may be reached via telephone at (703) 308-6608. The examiner can normally be reached Monday through Friday between 8:00 A.M. and 5:00 P.M. est.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Dam can be reached at (703) 305-4552.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

For facsimile (fax) send to 703-7467239 official and 703-7467240
draft

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Software Engineer Patent Examiner

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**ANTONY NGUYEN-BA
PRIMARY EXAMINER**